

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

(1) CASADY "N" COMPANY, LLC, an)	
Oklahoma limited liability company;)	
(2) ROBERT A. HAIGES; (3) TRITON)	
INVESTMENT, LLC, an Oklahoma limited)	CIV-14-643-F
liability company)	
)	
Plaintiffs,)	
)	
v.)	
)	
(1) AMERICA FIRST INSURANCE;)	
(2) WEST AMERICA INSURANCE)	
COMPANY; and (3) LIBERTY MUTUAL)	
INSURANCE COMPANY,)	
)	
Defendants.)	

NOTICE OF REMOVAL

COME NOW Defendants, America First Insurance Company (incorrectly named in the style as America First Insurance), West American Insurance Company (incorrectly named in the style as West America Insurance Company) and Liberty Mutual Insurance Company, and pursuant to 28 U.S.C. § 1446 and Fed. R. Civ. P. 81(c) state:

1. The above entitled suit was filed in the District Court of Oklahoma County, State of Oklahoma as Case No. CJ-2014-2865 on May 19, 2014. Defendants America First Insurance Company, West American Insurance Company and Liberty Mutual Insurance Company were served through the office of the Oklahoma Insurance Commissioner on May 21, 2014. Receipt of service was the first notice defendants received of this suit. In

accordance with 28 U.S.C. §1446(a) and LCvR 81.2, a copy of the docket sheet and a copy of all documents filed or served in the Oklahoma County case are attached to this Notice as Exhibit "1" through "5".

2. Plaintiffs Casady "N" Company, LLC and Triton Investment, LLC, are limited liability companies organized and existing under the laws of the State of Oklahoma, with its principal place of business in Oklahoma County, Oklahoma. Plaintiff Robert A. Haiges is a resident and citizen of Oklahoma County, Oklahoma.

3. West American Insurance Company is a company organized under the laws of the State of Indiana and for federal court jurisdiction/diversity of citizenship disclosure purposes, the principal place of business is 175 Berkeley Street, Boston, Massachusetts. Thus, West American Insurance Company is deemed to be a citizen of Massachusetts for purposes of diversity.

4. Liberty Mutual Insurance Company is a company organized under the laws of the State of Massachusetts and for federal court jurisdiction/diversity of citizenship disclosure purposes, the principal place of business is 175 Berkeley Street, Boston, Massachusetts. Thus, Liberty Mutual Insurance Company is deemed to be a citizen of Massachusetts for purposes of diversity.

5. Defendant America First Insurance Company is licensed to do business in the State of Oklahoma; it is a company organized under the laws of the State of New Hampshire and for federal court jurisdiction/diversity of citizenship disclosure purposes, the principal

place of business is 175 Berkeley Street, Boston, Massachusetts; therefore, America First Insurance Company, is deemed to be a New Hampshire citizen for purposes of diversity.

6. Jurisdiction is conferred upon this Court pursuant to 28 U.S.C. § 1332. Removal is proper pursuant to 28 U.S.C. §1441, et seq.

7. In this case, Plaintiffs bring causes of action for breach of an insurance contract and bad faith arising from a claim relating to hail damage.

8. The Petition alleges that Plaintiffs suffered damages “in excess of \$75,000.00.” Thus, the amount in controversy exceeds the amount which is required for diversity jurisdiction.

9. Pursuant to 28 U.S.C. § 1332(a)(1), this Court has jurisdiction because of the complete diversity of citizenship of the parties and there is a sufficient amount in controversy.

10. Pursuant to 28 U.S.C. § 1446(a), Defendants acknowledge that this Notice of Removal is signed and filed pursuant to Rule 11 of the Federal Rules of Civil Procedure.

WHEREFORE, Defendants, America First Insurance Company, West American Insurance Company and Liberty Mutual Insurance Company, request this Notice of Removal be accepted by this Court and that the lawsuit proceed as an action properly removed to this Court’s jurisdiction.

Respectfully submitted,

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/s/ Barbara K. Buratti

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Attorneys for Defendants

***West American Insurance Company,
Liberty Mutual Insurance Company and
America First Insurance Company***

CERTIFICATE OF SERVICE

X I hereby certify that on June 19, 2014, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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